

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION



Coffeen and Western Railroad Company,
Petitioner,

v.

Montgomery County, Illinois,
Respondent.

T04-0084

Petition for an Order authorizing the construction of at grade crossings in and
around Coffeen, Illinois.

TO ALL PARTIES OF RECORD:

**ADMINISTRATIVE LAW JUDGE'S
RULING**

The Petitioner's Motion to Reconsider Order granting the Petition for Leave to Intervene filed by Norfolk Southern Railway Company is **denied**. The Administrative Law Judge finds that the Petition for Leave to Intervene satisfies the requirements set forth in 83 Ill. Admin. Code 200.200, and passes muster under *Egyptian Elec. Coop. Assoc. v. ICC*, 33 Ill. 2d 339, 211 N.E. 2d 238 (1965).

The Petition to Intervene filed by the Illinois Coal Association is **provisionally granted**, provided that the Illinois Coal Association sufficiently articulates the nature of its interest in the proceeding at the March 10, 2005 Hearing, pursuant to 83 Ill. Admin. Code 200.200.

Petitioner's informal request for a delay herein to April 15, 2005 is **denied**.
The March 10, 2005 Hearing shall go forth as scheduled **as a Status and scheduling Hearing**. That Hearing will **not** be an evidentiary Hearing.

Entered: March 3, 2005.

A handwritten signature in black ink, appearing to read "Dean W. Jackson".

Dean W. Jackson
Chief Administrative Law Judge
Review & Examination Program

DJ:rsc
Railroad Staff: Mr. Humphries

DOCKETED

Parties of Record	Date Added	Date Removed
Mr. Victor A. Modeer Director of Highways, IDOT ATTN: JEFF HARPRING, ROOM 205 2300 South Dirksen Parkway Springfield, IL 62764		
Ms. Amy McNeal Montgomery County Highway Engineer 1215 Seymour Avenue Hillsboro, IL 62049		
Mr. Christopher W. Flynn Jones Day 77 West Wacker Drive, Suite 3500 Chicago, IL 60601-1692		
Mr. Michael P. Earley Jones Day 77 West Wacker Drive, Suite 3500 Chicago, IL 60601-1692		
Mr. Thomas M. Byrne Ameren Services Company 1901 Chouteau Avenue St. Louis, MO 63166-6149		
Mr. Glennon P. Hof Ameren Energy Fuels & Services Company 1901 Chouteau Avenue St. Louis, MO 63103		
Mr. Neil F. Flynn 1035 South Second Street Springfield, IL 62705-0037		
Mr. John V. Edwards Norfolk Southern Corporation Three Commercial Place Norfolk, VA 23510		

Mr. Phillip M. Gonet
Illinois Coal Association
212 South Second Street
Springfield, IL 62701

Mr. Tom Chapplear
Grisham Township Highway Commissioner
4175 Waveland Road
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Mr. Jacob Kimbro	02/10/05(a)	02/18/05®
East Fork Township Highway Commissioner		
17 Jakes Lane		
Coffeen, IL 62017		

Mr. Everett L. Schoen
Walshville Township Highway Commissioner
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